

#7



Practitioner's Docket No. BTI-13

EV092248175US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Foster, Thomas H.; Connelly, Patrick R.; and MacDonald, Stuart G.

Application No.: 10/077,893

Group No.:

Filed: 02/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Commissioner for Patents
Washington, D.C. 20231

**PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O.
OF ITEM CONSIDERED AS OMITTED BY THE
P.T.O.--RESPONSE TO "NOTICE OF OMITTED ITEMS"**

1. This is in response to the "NOTICE OF OMITTED ITEMS" mailed for this application on **June 14, 2002**. A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.

2. Applicant asserts that the items indicated as omitted, specifically **Figures 44 and 45 (page 30 of 58 of the drawings)**, were in fact deposited with the P.T.O. with the original application papers filed on February 19, 2002, as well as in the response to "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION," submitted May 29, 2002. Enclosed with this petition as evidence of submission of Figures 44 and 45 on the previously indicated dates are 1) a return receipt postcards from the USPTO, dated 2/19/2002 and 5/29/2002, showing receipt of 58 sheets of drawings, 2) a certificate of Express Mailing, dated 5/29/2002, showing submission of 58 sheets of drawings; 3) a Transmittal Form, dated 5/29/2002, showing submission of 58 sheets of drawings, and 4) a Transmittal of Formal Drawings, dated 5/29/2002, showing submission of 58 sheets of drawings. In the event that the USPTO is unable to locate to the previously submitted Figures 44 and 55 (page 30 of 58), applicants encloses 1) a copy of the previously submitted Figures 44 and 45 (page 30 of 58) for the above-referenced application, submitted 5/29/2002, and 2) a copy of the previously submitted Figures 43,44, and 45 for the above-referenced application, submitted 2/19/2002 at the time the application was originally filed.

3. In accordance with the requirements of the Notice of June 5, 1996, 61 Fed. Reg. 30,041-30,046, applicant hereby:

- A. Petitions under 37 C.F.R. Section 1.53(e) for a review of the determination that the item in issue was omitted.
- B. Submits the petition fee under 37 C.F.R. Section 1.17(h).

4. Fee Payment

This is a **nonprovisional** application.

The petition fee, 37 C.F.R. Section 1.17(h), is paid as follows:

A check is attached in the sum of \$ 130.00.

06/25/2002 HDMESS1 00000060 10077893

01 FC:122

130.00 OP

Adjustment date: 06/14/2002 Ref#: 00000060 Case/Number: 10077893
06/25/2002 HDMESS1 00000060 Case/Number: 10077893
01 FC:122 Ref#: 06/14/2002 HDMESS1 00000060 Case/Number: 10077893
Rep1: 01 FC:122 Ref#: 06/14/2002 HDMESS1 00000060 Case/Number: 10077893
Date: 06/25/2002 HDMESS1 00000060 Case/Number: 10077893
FC1 704

RECEIVED

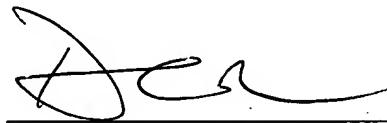
JUL 15 2002

OFFICE OF PETITIONS

Please charge Account No. 50-1706 for any fee deficiency for this petition.

5. Request for Refund

It is respectfully requested that, upon grant of the petition under 37 C.F.R. Section 1.53(e), the petition fee be refunded by deposit to Account No. 50-1706.



Duane C. Basch
Registration No. 34,545
Greenwald & Basch LLP
Suite 2490
349 West Commercial Street
East Rochester, NY 14445
US
585-387-0280
Customer No. 27157

RECEIVED

JUL 15 2002

OFFICE OF PETITIONS

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is mandatory.)
(Express Mail certification is optional.)

I hereby certify that this "Petition" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 6/19/2002, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV092248175US, addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Duane C. Basch
(type or print name of person mailing paper)


Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. Section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under Section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Petition to Establish Prior Receipt in the PTO of Item(s) Considered as Omitted by the PTO--Response to "Notice of Omitted Items"--page 2 of 2)

(Petition to Establish Prior Receipt in the PTO of Item(s) Considered as Omitted by the PTO--Response to "Notice of Omitted Items"--page 2 of 2)

FIG. 843

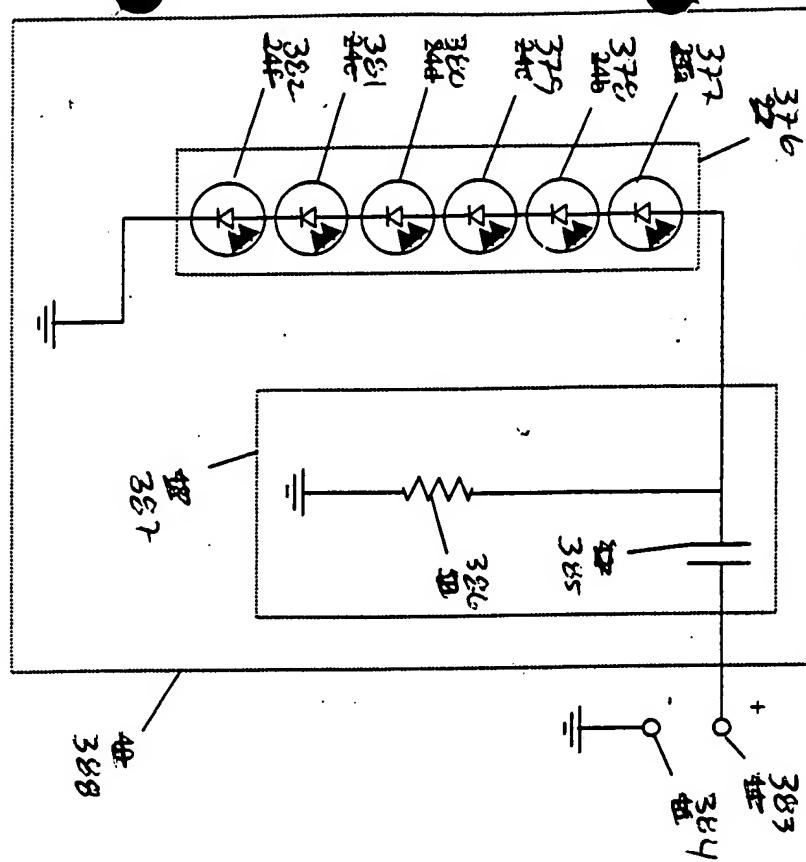
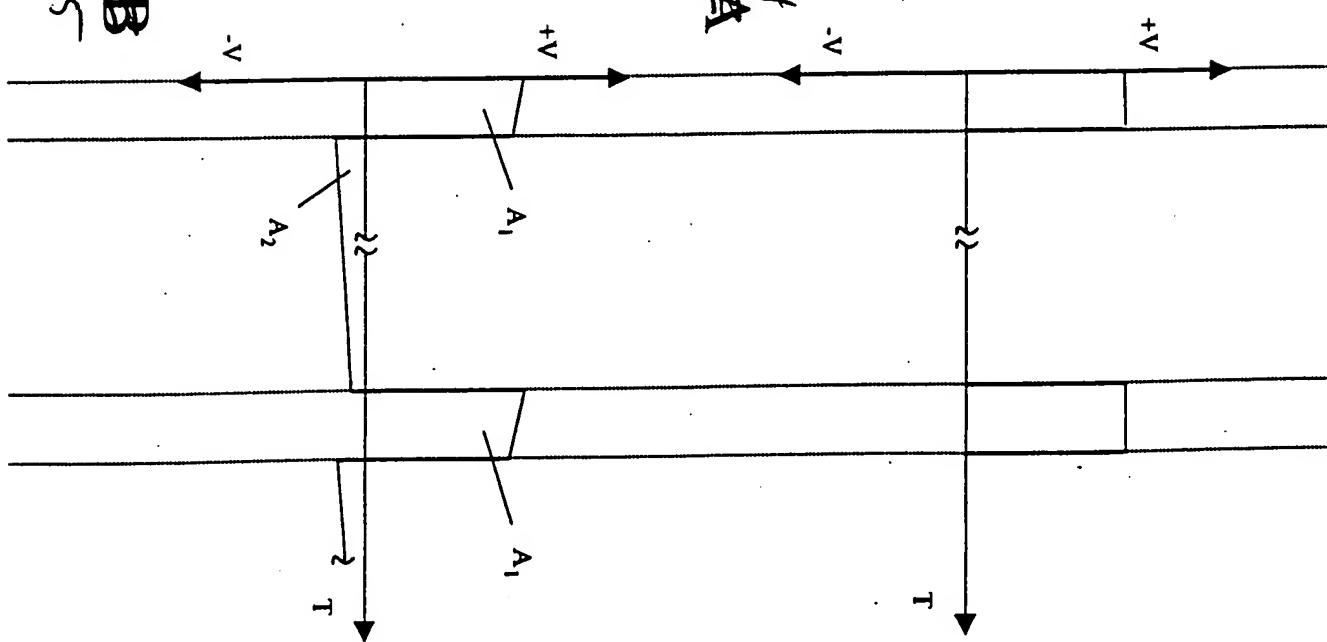
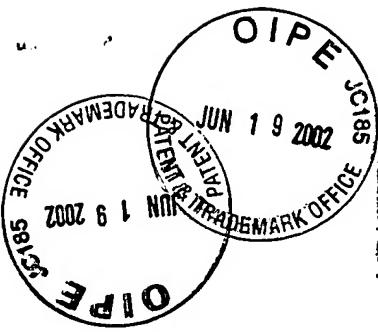


FIG. 6A





USPTO Acknowledgment Postcard

USPTO Stamp

11017 U.S. PTO
10/07/893
02/19/02

Serial: Filed Herewith Docket: BTI-13 Date Filed: Herewith Date Mailed: 2/19/2002
Title: AN ELECTROMAGNETIC INTERFERENCE IMMUNE TISSUE INVASIVE
SYSTEM
Inventor: THOMAS H. FOSTER ET AL.

The US Patent and Trademark Office hereby acknowledges, and has stamped hereon, the date of receipt of the items checked below:

Application: New Utility Provisional Design Filed Issued

First Class Mail Express Mail Label EL 903745467 US Certificate of Express Mailing

Drawings 58 sheets Formal Informal Specification 136 pages Letter Return Postcard

Oath Declaration Petition for Extension Information Disclosure Statement Attorney Transmittal Letter

Assignment Assignment Cover Sheet USPTO Transmittal Form Amendment/ Response Issue Fee

Certificate of Mailing Utility Patent Application Transmittal Fee Transmittal Non-Publication Form

Check Amount 619.00 Check No 3110 Check Amount Check No

Other Other

For fee deficiency resulting from the filing of the papers submitted herein, charge Deposit Account 50-1706.

Contact: Howard J. Greenwald

Duane C. Basch

Customer No: 27157

Telephone: 585-387-0280

Serial: 10/077,893 Docket: BTI-13 Date Filed: 2/1

Date Mailed: 5/29/02

Title: AN ELECTROMAGNETIC INTERFERENCE IMMUNE TISSUE INVASIVE SYSTEM
Inventor: THOMAS H. FOSTER ET AL.



The US Patent and Trademark Office hereby acknowledges, and has stamped hereon, the date of receipt of the items checked below:

Application: New Utility Provisional Design Filed Issued

First Class Mail Express Mail Label EV092247802US Certificate of Express Mailing

Drawings 58 sheets Formal Informal Specification pages Letter Return Postcard

Oath Declaration Petition for Extension Information Disclosure Statement Attorney Transmittal Letter

Assignment Assignment Cover Sheet USPTO Transmittal Form Amendment/ Response Issue Fee

Certificate of Mailing Utility Patent Application Transmittal Fee Transmittal Non-Publication Form

Check Amount \$ 120.00 Check No 3411 Check Amount _____ Check No _____

Other COPY OF NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION Other
PETITION FOR EXTENSION OF TIME; TRANSMITTAL OF FORMAL DRAWINGS

For fee deficiency resulting from the filing of the papers submitted herein, charge Deposit Account 50-1706.

Contact: Howard J. Greenwald
Telephone: 585-387-0280

Duane C. Basch

Customer No: 27157



Practitioner's Docket No.: BTI-13

FILE COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas H. Foster et al.

Application No.: 10/077,893

Confirmation No: 3097

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EV 092247802 US

Date of Deposit: 5/29/02

I hereby state that the following attached paper or fee:

Certificate of Express Mailing
Petition for Extension of Time-1 Month
Transmittal Form
Newly executed Declaration
Transmittal of Formal Drawings
58 sheets of Formal Drawings
Copy of "Notice to File Missing Parts of NonProvisional Application"
Return Postcard
Fee Transmittal
Check for \$120.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

Greenwald & Basch LLP
349 West Commercial Street
Suite 2490
East Rochester, New York 14445
(585) 387-0280

SIGNATURE OF MAILER:

- Howard J. Greenwald, Esq. (Reg. No. 24,247)
 Duane C. Basch, Esq. (Reg. No. 34,545)
 Suzanne T. Stockman
 Dollie C. Masters
 Other: _____



JUN 19 2002

Please type a plus sign (+) inside this box → PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10+

Attorney Docket Number

BTI-13

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See 1 in Addendum	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
Remarks		In response to NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 3/18/2002, applicant herewith encloses 1) the DECLARATION, newly dated and signed by each inventor, 2) a check for \$65.00 for the surcharge for late filing of the DECLARATION, and 3) fifty-eight sheets (58) of substitute drawings in compliance with 37 CFR 1.84. Also enclosed is a Petition for Extension of Time to extend the deadline for reply for one (1) month from 5/18/2002 to 6/18/2002 under the provisions of 37 CFR 1.136 (a). If any additional fees are required, please deduct from Deposit Account 50-1706.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Duane C. Basch # 34,545; Greenwald & Basch LLP

Signature

Date

5/29/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

O I Practitioner's Docket No. BTI-13

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 19 2002

In re application of: Thomas H. Foster et al.

Application No.: 10/077,893

Filed: 02/19/2002

Confirmation No: 3097

Examiner:

Group No.:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, mailed on 3/18/2002, attached please find:

- (a) the formal drawing(s) for this application.
Number of Sheets: 58

Each sheet of drawing indicates the identifying indicia suggested in Section 1.84(c) on the reverse side of the drawing.

- (b) a copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

Date: 5/29/02



Duane C. Basch
Registration No. 34,545
Greenwald & Basch LLP
Suite 2490
349 West Commercial Street
East Rochester, NY 14445
US
585-387-0280
Customer No. 27157

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. section 1.10 (c))

Express Mail Label: EV 092247802 US

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

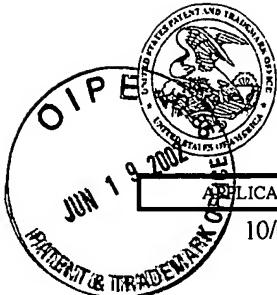
Date: 5/29/02

Duane C. Basch
(type or print name of person mailing paper)


Signature of person mailing paper

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,893	02/19/2002	Thomas H. Foster	BTI-13

CONFIRMATION NO. 3097

FORMALITIES LETTER



OC00000008290997

27157
 GREENWALD & BASCH, LLP
 SUITE 2490
 349 WEST COMMERCIAL STREET
 EAST ROCHESTER, NY 14445

Date Mailed: 06/14/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) Fig 44, 45 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Docketed

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



Application Number: 10/077,893
Filing Date: February 19, 2002
First Named Inventor: Thomas H. Foster
Group Art Unit:
Examiner Name:
Attorney Docket Number: BTI-13

**Transmittal Form (PTO/SB/21):
Additional Enclosures**

Certificate of Express Mailing

Transmittal Form

"Petition to Establish Prior Receipt . . ."

Notice of Omitted Items(s) in a Nonprovisional Application

Copies of stamped return postcards, dated 2/19/2002 and 5/29/2002

1 sheet of drawings -Figures 44 & 45 (page 30 of 58), previously submitted 5/29/2002

Copy of Express Mailing Certificate

Copy of Transmittal Form

Copy of Transmittal of Formal Drawings

Check for \$130.00

Return Postcard

1 sheet of drawings -Figures 43, 44 & 45, previously submitted 2/19/2002



03 CO
PATENT

Practitioner's Docket No.: BTI-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas H. Foster et al.

Application No.: 10/077,893

Confirmation No: 3097

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EV 092248175 US

Date of Deposit: 6/19/2002

I hereby state that the following attached paper or fee:

Certificate of Express Mailing

Transmittal Form

"Petition to Establish Prior Receipt in the PTO . . ."

Copy of "Notice of Omitted Item(s) in a Nonprovisional Application"

Copy of stamped Return Receipt Postcards, dated 2/19/2002 and 5/29/2002

Copy of previously submitted Express Mail Certificate

Copy of previously submitted Transmittal Form

Copy of previously submitted Transmittal of Formal Drawings

Copies of previously submitted drawings of Figures 44 & 45 (page 30 of 58) - 2

Return Postcard

Fee Transmittal

Check 3489 for \$130.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

Greenwald & Basch LLP
349 West Commercial Street
Suite 2490
East Rochester, New York 14445
(585) 387-0280

SIGNATURE OF MAILER:

- 
 Howard J. Greenwald, Esq. (Reg. No. 24,247)
 Duane C. Basch, Esq. (Reg. No. 34,545)
 Suzanne T. Stockman
 Dollie C. Masters
 Other: _____



Please type a plus sign (+) inside this box →

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number
10/077,893

Filing Date
February 19, 2002

First Named Inventor
Thomas H. Foster

Group Art Unit

Examiner Name

Attorney Docket Number
BTI-13

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		See the attached additional enclosures
<p>In response to "Notice of Omitted Items(s) in a Nonprovisional Application," dated 6/14/2002, enclosed are 1) a "Petition to Establish Prior Receipt . . ."; 2) various documents as evidence of previous submission of the drawings of Figures 44 & 45; 3) a check for \$130.00 for the petition fee, and 4) a copy of previously submitted drawings of Figures 44 & 45. If any additional fees are required, please charge to Deposit Account 50-1706.</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Duane C. Basch; Greenwald & Basch LLP
Signature	
Date	6/18/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEES TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	10/077,893
Filing Date	February 19, 2002
First Named Inventor	Thomas H. Foster
Examiner Name	
Group Art Unit	
Attorney Docket No.	BTI-13

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1706**
Deposit Account Name **Greenwald & Basch LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
<input type="text"/>	<input type="text"/>	-20** = <input type="text"/>	X <input type="text"/>	= <input type="text"/>
<input type="text"/>	<input type="text"/>	-3** = <input type="text"/>	X <input type="text"/>	= <input type="text"/>
Multiple Dependent <input type="text"/>				

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

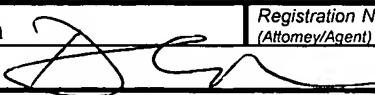
3. ADDITIONAL FEES

Fee Code	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	130.00
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Duane C. Basch	Registration No. (Attorney/Agent)	34,545	Telephone	585-387-0280
Signature				Date	6/18/02

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